

**TRANSMITTAL  
FORM***(to be used for all correspondence after initial filing)*

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/607,836
		Filing Date	June 27, 2003
		First Named Inventor	Bhat, Vinayak D.
		Art Unit	3738
		Examiner Name	Unassigned
Total Number of Pages in This Submission	7	Attorney Docket Number	020460-001691US

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Return Postcard Cited References PCT Search Report
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Townsend and Townsend and Crew LLP Nena Bains	Reg. No. 47,400
Signature		
Date	Oct. 23, 2003	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Landon Clark		
Signature		Date	10-23-03

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT  
Attorney Docket No.: 020460-001691US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



On 10-24-03

TOWNSEND and TOWNSEND and CREW LLP

By: London Clark

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

BHAT, VINAYAK D. et al.

Application No.: 10/607,836

Filed: June 27, 2003

For: DEVICES DELIVERING  
THERAPEUTIC AGENTS AND  
METHODS REGARDING THE SAME

Examiner: Unassigned

Art Unit: 3738

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the Search/Examination report corresponding to the PCT application.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nena Bains', with a stylized flourish at the end.

Nena Bains  
Reg. No. 47,400

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
NB/lle  
60055201 v1



Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

4

**Complete if Known**

Application Number	10/607,836
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Art Unit	3738
Examiner Name	Unassigned
Attorney Docket Number	020460-001691US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	0001	US-3,705,894	12-12-1972	Gerzon et al.	
	0002	US-3,705,946	12-12-1972	Dyke et al.	
	0003	US-3,777,020	12-04-1973	Johnson	
	0004	US-3,868,454	02-25-1975	Johnson	
	0005	US-3,880,995	04-29-1975	Jones	
	0006	US-3,903,071	09-02-1975	Holmes	
	0007	US-3,976,071	08/1976	Sadek	
	0008	US-3,993,749	11-23-1976	Sehgal et al.	
	0009	US-4,115,197	09-19-1978	Queener et al.	
	0010	US-4,234,684	11-18-1980	Abbott et al.	
	0011	US-4,335,094	06/1982	Mosbach	
	0012	US-4,345,588	08/1982	Widder et al.	
	0013	US-4,357,259	11/1982	Wenyei et al.	
	0014	US-4,501,726	02/1985	Schröder et al.	
	0015	US-4,810,524	03/1989	Nakayama et al.	
	0016	US-4,832,686	05/1989	Anderson	
	0017	US-4,871,716	10/1989	Longo et al.	
	0018	US-4,883,666	11/1989	Sabel et al.	
	0019	US-4,894,231	01/1990	Mareau et al.	
	0020	US-4,897,268	01/1990	Tice et al.	
	0021	US-4,904,479	02/1990	Illum	
	0022	US-4,921,723	05/1990	Nichols et al.	
	0023	US-4,936,281	06/1990	Stasz	
	0024	US-5,000,185	03/1991	Yock	
	0025	US-5,024,671	06/18/1991	Tu et al.	
	0026	US-5,067,491	11/1991	Taylor, II et al.	
	0027	US-5,069,216	12/1991	Groman et al.	
	0028	US-5,112,457	05/1992	Marchant	
	0029	US-5,163,952	11/1992	Froix	
	0030	US-5,176,907	01/1993	Leong	
	0031	US-5,206,159	04/1993	Cohen et al.	
	0032	US-5,225,282	07/1993	Chagnon et al.	
	0033	US-5,283,257	02/1994	Gregory et al.	
	0034	US-5,286,254	02/1994	Shapland et al.	
	0035	US-5,342,348	08/1994	Kaplan	
	0036	US-5,355,832	10/1994	Loh et al.	
	0037	US-5,356,433	10/1994	Rowland et al.	
	0038	US-5,368,557	11/1994	Nita et al.	
	0039	US-5,409,000	04/1995	Imran	

Examiner  
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Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



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**INFORMATION DISCLOSURE  
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(use as many sheets as necessary)

Sheet **2** of **4****C mplete if Known**

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	0040	US-5,411,550	05/1995	Herweck et al.	
	0041	US-5,419,760	05/1995	Narcisco, Jr.	
	0042	US-5,447,724	09/1995	Helmus et al.	
	0043	US-5,447,799	09/1995	Loh et al.	
	0044	US-5,463,010	10/1995	Hu et al.	
	0045	US-5,464,450	11/1995	Buscemi et al.	
	0046	US-5,464,650	11/1995	Berg et al.	
	0047	US-5,474,563	12-12-1995	Myler, et al.	
	0048	US-5,484,584	01/1996	Wallace et al.	
	0049	US-5,500,013	03/1996	Buscemi et al.	
	0050	US-5,512,055	04-30-1996	Domb et al.	
	0051	US-5,516,781	05/1996	Morris et al.	
	0052	US-5,543,158	08/1996	Gref et al.	
	0053	US-5,545,208	08/1996	Wolff et al.	
	0054	US-5,551,954	09/1996	Buscemi et al.	
	0055	US-5,563,146	10/1996	Morris et al.	
	0056	US-5,569,463	10/1996	Helmus et al.	
	0057	US-5,591,227	01/1997	Dinh et al.	
	0058	US-5,609,629	03/1997	Fearnot et al.	
	0059	US-5,624,411	04/1997	Tuch	
	0060	US-5,637,113	06/1997	Tartaglia et al.	
	0061	US-5,646,160	07/1997	Morris et al.	
	0062	US-5,649,977	07/1997	Campbell	
	0063	US-5,656,297	08/1997	Bernstein et al.	
	0064	US-5,665,728	09/1997	Morris et al.	
	0065	US-5,679,400	10/1997	Tuch	
	0066	US-5,700,286	12/1997	Tartaglia et al.	
	0067	US-5,725,494	03/1998	Briskin	
	0068	US-5,725,567	03-10-1998	Wolff, et al.	
	0069	US-5,725,567	03-10-1998	Wolff et al.	
	0070	US-5,728,062	03/1998	Briskin	
	0071	US-5,735,811	04/1998	Briskin	
	0072	US-5,769,883	06/1998	Buscemi et al.	
	0073	US-5,769,884	06-23-1998	Solovay	
	0074	US-5,824,049	10/1998	Ragheb et al.	
	0075	US-5,837,008	11/1998	Berg et al.	
	0076	US-5,843,172	12/1998	Yan	
	0077	US-5,851,231	12/1998	Wolff et al.	
	0078	US-5,876,452	03/1999	Athanasiou et al.	

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		First Named Inventor	Bhat, Vinayak D.		
		Art Unit	3738		
		Examiner Name	Unassigned		
Sheet	3	of	4	Attorney Docket Number	020460-001691US

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Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	0079	US-5,879,808	03/1999	Wary et al.	
	0080	US-5,891,108	04/1999	Leone et al.	
	0081	US-5,893,840	04/1999	Hull et al.	
	0082	US-5,928,145	07/1999	Ocali et al.	
	0083	US-5,951,586	09/1999	Berg et al.	
	0084	US-5,958,510	09/1999	Sivaramakrishnam et al.	
	0085	US-5,968,092	10/1999	Buscemi et al.	
	0086	US-5,972,027	10/1999	Johnson	
	0087	US-5,980,551	11/1999	Summers et al.	
	0088	US-5,980,566	11/1999	Alt et al.	
	0089	US-5,997,468	12/1999	Wolff et al.	
	0090	US-6,031,375	02/2000	Atalar et al.	
	0091	US-6,051,276	04/2000	Wary et al.	
	0092	US-6,054,122	04/2000	MacPhae	
	0093	US-6,063,101	05/2000	Jacobsen et al.	
	0094	US-6,071,305	08/2000	Brown et al.	
	0095	US-6,086,952	07/2000	Lang et al.	
	0096	US-6,096,070	08/2000	Ragheb et al.	
	0097	US-6,099,561	08/2000	Alt	
	0098	US-6,107,052	08-22-2000	Dorn	
	0099	US-6,153,252	11/2000	Hossainy et al.	
	0100	US-6,183,507	02-06-2001	Lashinski et al.	
	0101	US-6,197,013	03/2001	Reed et al.	
	0102	US-6,203,536	03/2001	Berg et al.	
	0103	US-6,240,616	06-05-2001	Yan	
	0104	US-6,253,443	07-03-2001	Johnson	
	0105	US-6,273,908	08-14-2001	Ndondo-Lay	
	0106	US-6,273,913	08/2001	Wright et al.	
	0107	US-6,287,628	09-11-2001	Hossainy, et al.	
	0108	US-6,299,604	08/2001	Ragheb et al.	
	0109	US-6,395,326	05-28-2002	Castro, et al.	
	0110	US-6,471,980	10-29-2002	Sirhan et al.	
	0111	US-2001/0027340	10/2001	Wright et al.	
	0112	US-2001/0029351	10/2001	Falotico et al.	
	0113	US-2002/0005206	01/2002	Falotico et al.	
	0114	US-2002/0007213	01/2002	Falotico et al.	
	0115	US-2002/0007214	01/2002	Falotico	
	0116	US-2002/0007215	01/2002	Falotico et al.	
	0117	US-2002/0016625	02/2002	Falotico et al.	

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Examiner Initials*	Cite No. <sup>1</sup>	Number Kind Code <sup>2</sup> (if known)			
	0118	US-2002/0032414	03/2002	Ragheb et al.	
	0119	US-2002/0082677 A1	06-27-2002	Sirhan et al.	
	0120	US-2002/0082678 A1	06-27-2002	Sirhan et al.	
	0121	US-2002/0082685 A1	06-27-2002	Sirhan et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	0122	EP	063 365	✓ B1	09-04-1985	Kenji		<input type="checkbox"/>
	0123	EP	184 162	✓ B1	04/1994	Okuhara		<input type="checkbox"/>
	0124	WO	90/13332	✓ A1	11/1990	Lee		<input type="checkbox"/>
	0125	WO	01/01957	✓ A1	01/2001	Stratford, et al.		<input type="checkbox"/>
	0126	WO	01/41678	✓ A1	06/2001	Advanced Cardiovascular System		<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	0127✓	Rajasubramanian et al., "Fabrication of resorbable microporus intravascular stents for gene therapy applications," <u>ASAIO Journal</u> , 40:M584-589 (1994)	
	0128✓	MOHACSI et al., "Different inhibitory effects of immunosuppressive drugs on hyman and rat aortic smooth muscle and endothelial cell proliferation stimulated by platelet-derived growth factor or endothelial cell growth factor" <u>J Heart and Lung Transplant</u> , 16:484-491 (1997).	

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